

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 15-20710

v.

Hon. George Caram Steeh

CLIFFORD CONNER,

Defendant.

_____ /

ORDER DENYING DEFENDANT'S REQUEST
FOR APPOINTMENT OF COUNSEL (ECF No. 117))

The court received a letter from Defendant Clifford Conner requesting the appointment of counsel, which it will construe as a motion. Conner does not indicate the reason he seeks the assistance of counsel.

The appointment of counsel for postconviction proceedings is a matter of the court's discretion, not a constitutional right. *See Pennsylvania v. Finley*, 481 U.S. 551, 555 (1987); *Lemeshko v. Wrona*, 325 F. Supp. 2d 778, 787 (E.D. Mich. 2004) (court may appoint counsel for habeas petitioner "only where the interests of justice or due process so require"); *United States v. Prater*, 2020 WL 2616120, at *2 (E.D. Ky. May 22, 2020) ("There is no constitutional right to counsel in proceedings filed under 18 U.S.C. § 3582."). In order to adequately evaluate a request for counsel, the court

needs more information so it can determinate whether the appointment of counsel would serve the interests of justice. *Lemeshko*, 325 F. Supp.2d at 788.

Accordingly, IT IS HEREBY ORDERED that Conner's request for the appointment of counsel is DENIED without prejudice.

Dated: August 11, 2020

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 11, 2020, by electronic and/or ordinary mail and also Clifford Connor #51545-039, FCI Hazelton, Federal Correctional Institution, P.O. Box 5000, Bruceton Mills, WV 26525.

s/Brianna Sauve
Deputy Clerk